United Nations S/2000/869

Security Council

Distr.: General
14 September 2000
English
Original: Arabic

Letter dated 12 September 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you that, in the 1980s, the Republic of Iraq and the Kingdom of Saudi Arabia agreed that a pipeline should be constructed to carry crude oil from southern Iraq across Saudi territory to the Red Sea. Contracts for phase I were signed with a consortium led by the Italian company Sabiem. Phase I included the construction of a new pipeline and its linkage with the east-west Saudi Petroline at a point near Riyadh. Oil began to be pumped through the pipeline, alternating with Saudi oil, on 1 November 1985, and it had a capacity of 500 barrels a day. The cost of building the pipeline was some 500 million United States dollars.

Contracts for phase II of the pipeline were signed on 22 September 1987 with a consortium of Sabiem, Mitsubishi and Hyundai. This phase included the laying of a pipeline from the Riyadh area to the port of Mu`jiz (south of Yanbu`), which was built — together with all the necessary installations such as pumping and control stations, communications facilities, storage tanks and loading terminals and with an oil export capacity of 1.6 million barrels a day — at a cost of some 1.7 billion dollars.

The total cost of the pipeline (both phases) was thus more than 2.2 billion dollars, most of which was spent in Saudi Arabia. Operation of the pipeline at full capacity began in September 1989, and the first tanker carrying oil from it put to sea on 19 September 1989. The pipeline continued to operate until 13 August 1990, when Saudi Arabia halted the flow of oil and gave as the reason for doing so the high inventories at Mu`jiz. It has not up to the present time allowed pumping to resume.

The pipeline was built by agreement between Iraq and Saudi Arabia and with the full approval of both countries. Enormous sums were invested in the construction of the pipeline network, representing the assets of the Iraqi people and the Saudi people. The total amount of crude oil exported by way of the pipeline was about 876 million barrels, while quantities of oil estimated at 11 million barrels remain in the storage tanks at Mu`jiz and the entire pipeline system inside Saudi territory is also full of oil. Exportation by way of the pipeline was halted at the discretion of Saudi Arabia, and the reason given by it was the high inventories at Mu`jiz.

00-64318 (E) 150900 150900

It is clear from the foregoing that Saudi Arabia is liable for the damage sustained by Iraq and for the legal consequences of that damage between 13 August 1990 and such time as the pipeline is reopened and can be used in the same way as when it began to operate in each of the aforesaid phases, which is the way in which it is assumed it will be used when it reopens.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

United Nations A/55/384–S/2000/870

General Assembly
Security Council

Distr.: General
14 September 2000

Original: English

General Assembly
Fifty-fifth session
Agenda item 18
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Security Council
Fifty-fifth year

Letter dated 12 September 2000 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a memorandum by the Frente POLISARIO to the members of the General Assembly and to the members of the Security Council on the question of Western Sahara (see annex) and I should be grateful if you would have it circulated as a document of the General Assembly, under agenda item 18 and of the Security Council.

(*Signed*) Martin **Andjaba**
Ambassador and Permanent Representative

00-64394 (E) 220900 220900

Annex to the letter dated 12 September 2000 from the Permanent Representative of Namibia to the United Nations addressed to the Secretary-General

[Original: French]

Memorandum by the Frente POLISARIO on the question of Western Sahara

1. One year has elapsed since the General Assembly of the United Nations last reviewed the question of Western Sahara and adopted resolution 54/87, in which it, inter alia, reaffirmed the need for the holding of a referendum on self-determination in order to settle the question.

2. As the Assembly begins its fifty-fifth session, implementation of the Settlement Plan by the United Nations Mission for the Referendum in Western Sahara (MINURSO) has earned a mixed review. Indeed, the unprecedented progress achieved has been tempered by the serious challenges and dangers that now threaten the process.

3. In early 2000, MINURSO completed the identification of some 198,000 applicants for the referendum on self-determination. This difficult task, which was begun in 1994 and is the most important element of the entire process, was doggedly pursued by the Identification Commission of MINURSO and resulted in the publication in February 2000 by the United Nations of a provisional list of 86,349 voters.

4. However, Morocco's obstructionist attitude has once again brought the process to an impasse, even though the remarkable progress that had earlier been achieved should have advanced the time-frame for the holding of the referendum on self-determination. Morocco has in fact taken advantage of the appeals process to flood the Identification Commission with thousands of appeals that were lodged at its instigation by Moroccan nationals whose applications had been rejected during the identification phase for failure to meet the criteria to qualify as nationals of the Territory. An appeal was lodged by Morocco for each person rejected, which means that the Commission of MINURSO is now faced with a huge number of nearly 135,000 appeals, 95 per cent of which have no legal basis or practical justification.

5. This attitude, which threatens to undo the painstaking work that has been done by the Identification Commission often under difficult conditions represents a slap in the face of the international community, which has devoted considerable human and financial resources to this exercise. By its actions, moreover, Morocco has spurned the repeated appeals made by the Secretary-General in several of his reports and by the Security Council in its resolutions 1238 (1999) and 1263 (1999) that the appeals process should not be turned into a second round of identification.

6. The preparatory work for the repatriation of Saharawi refugees faces basically the same problem, which is that, whenever some progress is achieved, Morocco throws up new obstacles in the way of the settlement process. The Office of the United Nations High Commissioner for Refugees (UNHCR) has in fact completed its pre-registration of the refugees who were invited to participate in the referendum and their immediate families, in accordance with the Settlement Plan and the resolutions of the Security Council. The refugees number more than 140,000, the majority of whom, for security reasons, have communicated to UNHCR their desire to be repatriated to the Territory of Western Sahara and thus escape the Moroccan occupation.

7. Despite this, the Kingdom of Morocco is attempting to politicize the repatriation exercise by transforming into a new obstacle the location to which refugees have freely chosen to be repatriated. It has no hesitation in applying pressure of various kinds on the United Nations so that the Organization would require refugees to be transferred to zones occupied by Morocco, in violation of the elementary principles of international law and the established practice of UNHCR.

8. Indeed, both in the identification process and in the preparatory process for the return of the refugees, the Moroccan side is multiplying the obstacles and delaying tactics. Its undeclared objective is to sabotage the referendum process or to at least delay the time-

frame. As a result of this policy, the civil activity of MINURSO has been reduced to a minimum since the completion in December 1999 of the process of identification of the tribes whose inclusion in the list had been challenged.

9. Unfortunately, faced with this situation, neither the Secretary-General nor the Security Council has continued to show the same determination to compel Morocco to honour its commitments and to cooperate loyally with MINURSO.

10. Moreover, the report issued by the Secretary-General in December 1999 contained a particularly negative evaluation of the implementation of the Settlement Plan and highlighted the difficulties which the Plan faces or will face in the future. For the sake of the cause, the considerable progress achieved in the settlement process is being either ignored or minimized. The tone of the three reports that followed remained the same. The report issued in July suggests a search for a new path towards a settlement of the conflict in Western Sahara outside the scope of the Settlement Plan and the referendum on self-determination for which it provided.

11. Within the Security Council, efforts to abandon the Settlement Plan have also been gaining ground from resolution to resolution since December 1999. Two influential members of the Council have been attempting since then to secure the Council's backing for their proposal to abandon the referendum process in favour of a spurious political solution, to be negotiated directly between Morocco and the Frente POLISARIO and which would of course ignore the right to self-determination of the people of Western Sahara. These efforts have not received the support of the Security Council and have led instead to divisions among its members on this important question.

12. One may therefore legitimately ask, in this regard, what are the real reasons behind the concerted efforts that are now being openly made. Is it because Morocco, which has serious doubts about the results of the referendum, now wishes to abandon the process?

13. Or is the aim simply to maintain the current status quo, even though it is clear that the current situation would be unsustainable in the absence of a credible peace process? In both cases, it is the wishes of the occupying Power that seem to be more important in the eyes of those who are attempting to modify the framework for a settlement.

14. Mr. James Baker returned to the scene early this year with a visit to the region in April 2000, where he joined the parties in making a preliminary assessment of the situation that has resulted from the large number of appeals lodged by Morocco, which is the root cause of the current impasse. While the two direct meetings between Morocco and the Frente POLISARIO, which were held in London in May and July 2000 under the auspices of the Personal Envoy of the Secretary-General, failed to yield any progress, they nevertheless confirmed Rabat's intention to block the referendum process and escape by any means possible the verdict of the polls.

15. In fact, the new approach being promoted by the Secretary-General and certain members of the Security Council suits Morocco, which sees it as a way of avoiding the referendum process at less cost. The publication of the provisional voter list would in fact leave it in no doubt about the outcome of the vote in favour of independence when the referendum is held. Unfortunately, the attitude of certain influential members of the Security Council is providing increasing encouragement for Morocco to continue to obstruct and block the process. During the direct technical discussions initiated in Geneva in July 2000 by the Personal Envoy of the Secretary-General, the Moroccan delegation left no doubt that this was its approach, when it quite simply refused to participate in any discussion whatsoever on the issues on the agenda.

16. For its part, throughout these consultations and direct discussions, the Frente POLISARIO reiterated its firm commitment to the Settlement Plan and to the holding of the referendum on self-determination as the only just and lasting solution to the conflict in Western Sahara. Any other approach that ignored the inalienable right of the people of Western Sahara to choose their destiny is mere speculation and destined to fail sooner or later. It would therefore never be supported in any way whatsoever by the Frente POLISARIO.

17. There is no doubt that, as the new millennium begins, the peace process, which has been going on for nearly 10 years now in Western Sahara, is facing grave challenges that threaten the very foundations on which the process has always been based. The United Nations should be proud of the unprecedented progress achieved by this process during the period just completed. This progress includes the fact that the ceasefire that has been in force since 6 September 1991

is still holding, the identification of voters, and the preparations that have been made for the repatriation of refugees. These achievements should be a source of encouragement for the United Nations, which should press forward and not allow itself to be intimidated by the delaying tactics of Morocco, whose intentions to obstruct the process are now becoming increasingly clear. The success achieved by the United Nations in the decolonization of East Timor demonstrates the capacity of the international organization to rise to the challenges and to ensure respect for international law and the right of peoples.

18. The mandate which the General Assembly entrusted to the Secretary-General of the United Nations to resolve this conflict is a solemn reiteration of the fact that the question of Western Sahara is one of decolonization and that a referendum on self-determination must be held, in conformity with resolution 1514 (XV) of 14 December 1960.

19. The international community cannot allow the process of decolonization of the last colonial enclave in Africa to be derailed by analyses being imposed by the desires of the occupying Power or by the temporal and immediate interests of certain Powers. At stake is the credibility of the United Nations, which has invested so much in this process that it must succeed. The General Assembly should therefore reiterate during its fifty-fifth session its commitment and determination to bring to a successful conclusion the process of decolonization in Western Sahara, in conformity with its relevant resolutions, by organizing a referendum for the people of Western Sahara that is free, impartial and conducted under international supervision.

September 2000

United Nations S/2000/871

Security Council

Distr.: General
16 September 2000

Original: English

Letter dated 14 September 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

I have been instructed by my Government to advise that over 60,000 litres of sulphuric acid have been released into the Ibar River from a Trepca battery plant in Kosovska Mitrovica, Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, causing an ecological disaster of unforeseeable proportions.

The disaster is illustrative of the tragic consequences of the seizure of Trepca by the Kosovo Force (KFOR) and the United Nations Interim Administration in Kosovo (UNMIK) of which the Federal Republic of Yugoslavia warned the Security Council on a number of occasions. This all the more so as, in seizing Trepca, KFOR and UNMIK professed all along that they were guided exclusively by ecological reasons. However, by allowing the disaster to happen, the international presences have in fact shown utter lack of concern for the environment and for those for whose well-being they have purported to act, and demonstrated once again that, in collusion with ethnic Albanian separatists, their only concern is to destroy each and every economic establishment in Serbian territories and thus drive the remaining Serbs and other non-Albanians from Kosovo and Metohija altogether.

In advising that the Yugoslav Government has requested the United Nations Environment Programme to help relieve the consequences of the disaster, I take the opportunity to reiterate the request of my Government that the Security Council enable the authorities of the Federal Republic of Yugoslavia and its constituent Republic of Serbia to carry out their duties in the territory of Kosovo and Metohija under Security Council resolution 1244 (1999) of 10 June 1999 and to enjoin UNMIK to reinstate the Trepca management and employees, thus making it possible for the corporation to recommence normal work.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav Jovanovic
Chargé d'affaires, a.i.

00-64620 (E) 180900

United Nations S/2000/872

Security Council

Distr.: General
14 September 2000
English
Original: French

Letter dated 13 September 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to attach the text of a communication dated 13 September 2000 from the Secretary-General of the North Atlantic Treaty Organization addressed to me.

I should be grateful if you would have it brought to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

00-64414 (E) 150900 150900

Annex

[Original: English]

Letter dated 13 September 2000 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on the operations of the Stabilization Force (SFOR). I would appreciate your making this report available to the Security Council.

(*Signed*) George **Robertson**

Enclosure

Monthly report to the Security Council on the operations of the Stabilization Force

1. Over the reporting period (13 July-12 August), there were approximately 22,300 troops deployed in Bosnia and Herzegovina and Croatia, with contributions from all the NATO allies and from 15 non-NATO countries. Troops of the Stabilization Force (SFOR) continued to conduct reconnaissance and surveillance operations in the theatre by ground and air patrols. Operations included area security, monitoring the border with the Federal Republic of Yugoslavia, monitoring the Entity Armed Forces, conducting weapons storage site inspections, providing support to the international organizations in theatre, and collecting weapons and ammunition in the framework of Operation Harvest.

2. SFOR troops continued to monitor compliance with the provisions of Security Council resolution 1160 (1998), which prohibits the transport of weapons into the Federal Republic of Yugoslavia, by providing an intensified presence on the ground in order to enforce the embargo. No violations were reported.

3. On 25 July, 6 rocket-propelled grenades were fired at the Joint Commission Observer house in Zvornik (Multinational Division (MND) North). SFOR troops immediately responded to the incident and secured the scene. There were no injuries. A suspect was arrested on 2 August.

4. Over the reporting period, SFOR troops also continued to monitor the movement of controlled petroleum products into the Federal Republic of Yugoslavia by establishing traffic control points. No violations were reported.

Cooperation and compliance by the parties

5. The situation in the theatre remained calm and stable, with the entities in substantial compliance with the military provisions of the Peace Agreement. The reporting period was marked by a series of demonstrations, largely peaceful, related to evictions carried out to allow the return of refugees and displaced persons to their homes. In Brcko (MND North) on 13 July, approximately 350 Bosnian Serbs demonstrated over proposed evictions in the town. On 17 July there was a similar demonstration by Bosniacs near Bocinja Donja (MND North) in protest at previously announced evictions in the town. Two roadblocks were set up and subsequently dismantled by local police, and the demonstration ended peacefully. Over the period from 24 to 26 July, however, there was serious civil disorder in the village of Janja (MND North) in connection with the planned eviction of Bosnian Serb families. Despite sporadic incidents of grenade and stone throwing, the situation was brought under control and the demonstrators dispersed. On 29 July, around 2,000 Bosniacs demonstrated near the Orthodox church in Tuzla (MND North) in protest at the earlier demonstrations in Janja. The demonstration ended peacefully after about one hour.

6. Over the period, SFOR troops conducted 97 military weapons storage site inspections. No violations were reported.

7. SFOR troops monitored 1,182 training and movement activities: 661 Bosnian Serb, 308 Bosniac, 90 Bosniac Croat and 123 Federation.

8. On 5 August, SFOR troops supported the International Police Task Force in conducting weapons inspections in several municipal buildings, including the police administration building, in Vares (MND North). Various documents and items of equipment were removed for further analysis. The situation remained calm throughout the operation.

9. Over the reporting period, SFOR monitored 409 mine-clearing operations carried out by the Entity Armed Forces.

Cooperation with international organizations

10. Within capabilities, and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in theatre, including the United Nations Mission in Bosnia and Herzegovina, the International Police Task Force, the International Tribunal for the former Yugoslavia, the Office of the High Representative, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees.

11. SFOR continues to support the Office of the High Representative in the establishment of joint institutions in Bosnia and Herzegovina. Following the meeting on 29 June of the Standing Committee on Military Matters, work has continued on the reduction and restructuring of the Entity Armed Forces.

12. SFOR support to OSCE for the municipal elections, which will be held on 11 November, will include the provision of pre-election supervisor training, a rapid response capability, enhanced security environment, limited equipment support, exchange of liaisons and 24-hour joint operational centre staffing, at both SFOR and OSCE.

Outlook

13. Sporadic low-level violence, including against SFOR and the international community, is likely to occur in connection with the return of displaced persons and refugees.

United Nations S/2000/873

Security Council

Distr.: General
18 September 2000

Original: English

Letter dated 15 September 2000 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council

I am writing to you in my capacity as the coordinator of the Troika of Observer States to the Angolan peace process for the month of September to convey to you a press statement which the Troika issued earlier today (see annex).

I should be grateful if you would draw the attention of the members of the Security Council to the present letter and its annex, and have them circulated as a document of the Security Council.

(*Signed*) António **Monteiro**
Permanent Representative of Portugal to the United Nations

00-64780 (E) 180900

Annex to the letter dated 15 September 2000 from the Permanent Representative of Portugal to the United Nations addressed to the President of the Security Council

Press statement issued by the Troika of Observer States to the Angolan peace process, New York, on 15 September 2000

The Troika of Observer States to the Angolan peace process agreed today in New York, through the Permanent Representatives to the United Nations of Portugal, the Russian Federation and the United States of America, respectively, António Monteiro, Sergey Lavrov and Richard Holbrooke, on the following statement:

The Troika discussed the latest developments on the ground and considers it imperative to continue moving towards a peaceful resolution of the Angolan conflict in full consultation with the Angolan Government of Unity and National Reconciliation. The Troika continues to believe that only an integral respect for the Peace Agreements and the Lusaka Protocol will lead to lasting peace and an inclusive democratic process.

The Troika remains committed to assisting in this process in all respects and will continue to actively cooperate with the United Nations, and in particular its office on the ground, as needed.

The Troika reiterates its commitment to the principles contained in the Lusaka Protocol and the Peace Agreements, including those provisions related to the extension of State administration to the whole territory, demobilization and demilitarization, and national reconciliation.

The Troika discussed the need to strengthen the existing United Nations sanctions regime against UNITA and stressed the fundamental importance of the full cooperation of Member States with the Security Council in its implementation.